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SUGAR INDUSTRY EXPECTED TO BE BENEFITED BY NEW PROVISIONS

(Continued from page 23)

mony to be taken by deposition in any proceeding or investigation pending under this title at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commission and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any person, firm, copartnership, corporation, or association, may be compelled to appear and depose, and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the commission, as hereinbefore provided.

Witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same, except employees of the commission, shall severally be entitled to the same fees and mileage as are paid for like service in the courts of the United States: Provided, That no person shall be excused, on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture, from attending and testifying, or producing books, papers, documents and other evidence, in obedience to the subpoena of the commission; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpoena and under oath, he may so testify or produce evidence, except that no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

Sec. 707. That the said commission shall in appropriate matter act in conjunction and cooperation with the Treasury Department, the Department of Commerce, the Federal Trade Commission, or any other departments, or independent establishments of the government, and such departments and independent establishments of the government shall cooperate fully with the commission for the purpose of aiding and assisting in its work, and, when directed by the president, shall furnish to the commission, on its request, all records, papers and information in their possession relating to any of the subjects of investigation by said commission and shall detail, from time to time, such officials and employees to said commission as he may direct.

Sec. 708. It shall be unlawful for any member of the United States Tariff Commission, or for any employee, agent, or clerk, of said commission, or any other officer or employee of the United States, to divulge or to make known in any manner whatever not provided for by law, to any person, the trade secrets or processes of any person, firm, corporation, or association embraced in any examination or investigation conducted by said commission, or by order of said commission, or by order of any member thereof. Any offenses against the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding \$1000, or by imprisonment not exceeding one year, or both, in the discretion of the court, and such offender shall also be dismissed from office or discharged from employment. The commission shall have power to investigate the Paris Economic Pact and similar organizations and arrangements in Europe.

Sec. 709. That there is hereby appropriated, for the purpose of defraying the expense of the establishment and maintenance of the commission, including the payment of salaries herein authorized, out of any money in the treasury of the United States not otherwise appropriated, the sum of \$500,000 for the fiscal year ending June 30, 1917, and for each fiscal year thereafter a like sum is authorized to be appropriated.

Title VIII.—Unfair Competition
Sec. 800. That when used in this title the term "person" includes partnerships, corporations and associations.
Sec. 801. That it shall be unlawful for any person importing or assisting in importing any article from any foreign country into the United States, commonly and systematically to import, sell or cause to be imported or sold such articles within the United States at a price substantially less than the actual market value or wholesale price of such articles, at the time of exportation to the United States, in the principal markets of the country of their production, or of other countries in which they are commonly exported, after adding to such market value or wholesale price, freight, duty, and other charges and expenses necessarily incident to the importation and sale thereof in the United States: Provided, That such act or acts be done with the intent of destroying or injuring an industry in the United States, or of preventing the establishment of an industry in the United States, or of restraining or monopolizing any part of trade and commerce in such articles in the United States.

Any person who violates or combines or conspires with any person to violate this section is guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding \$5000, or imprisonment not exceeding one year, or both, in the discretion of the court.
Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate this section, may sue therefor in the district court of the United States for the district in which defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages sustained, and the cost of the suit, including a rea-

sonable attorney's fee.
The foregoing provisions shall not be construed to deprive the proper state courts of jurisdiction in actions for damages thereunder.

Sec. 802. That if any article produced in a foreign country is imported into the United States under any agreement, understanding, or condition that the importer thereof or any other person in the United States shall not use, purchase, or deal in, or shall be restricted in his using, purchasing, or dealing in, the articles of any other person, there shall be levied, collected, and paid thereon, in addition to the duty otherwise imposed by law, a special duty equal to double the amount of such duty: Provided, That the above shall not be interpreted to prevent the establishing in this country on the part of a foreign producer of an exclusive agency for the sale in the United States of the products of said foreign producer or merchant, nor to prevent such exclusive agent from agreeing not to use, purchase, or deal in the article of any other person, but this proviso shall not be construed to exempt any article imported by such exclusive agent if such agent is required by the foreign producer or if it is agreed between such agent and such foreign producer that any agreement, understanding or condition set out in this section shall be imposed by such agent upon the sale or other disposition of such article to any person in the United States.

Sec. 803. That the secretary of the treasury shall make such rules and regulations as are necessary for the carrying out of the provisions of section 802.
Sec. 804. That whenever any country, dependency, or colony shall prohibit the importation of any article of the United States and not injurious to health or morals, the president shall have power to prohibit, during the period such prohibition is in force, the importation into the United States of similar articles, or in case the United States does not import similar articles from that country, then other articles, the products of such country, dependency or colony.
And the secretary of the treasury, with the approval of the president, shall make such rules and regulations as are necessary for the execution of the provisions of this section.

Sec. 805. That whenever during the existence of a war in which the United States is not engaged, the president shall be satisfied that there is reasonable ground to believe that under the laws, regulations, or practices of any country, colony, or dependency, contrary to the law and practice of nations, the importation into their own or any other country, dependency, or colony of any article of the product of the soil or industry of the United States and not injurious to health or morals is prevented or restricted, the president is authorized and empowered to prohibit or restrict during the period such prohibition or restriction is in force, the importation into the United States of similar or other articles, products of such country, dependency, or colony as in his opinion the public interest may require; and in such case he shall make proclamation stating the article or articles which are prohibited from importation into the United States; and any person or persons who shall import, or attempt or conspire to import, or be concerned in importing, such article or articles, into the United States contrary to the prohibition in such proclamation, shall be liable to a fine of not less than \$2000 nor more than \$5000, or to imprisonment not to exceed two years, or both, in the discretion of the court. The president may change, modify, revoke, or renew such proclamation in his discretion.

Sec. 806. That whenever, during the existence of a war in which the United States is not engaged, the president shall be satisfied that there is reasonable ground to believe that any vessel, American or foreign, is, on account of the laws, regulations, or practices of a belligerent government, making or giving any undue or unreasonable preference or advantage in any respect whatsoever to any particular person, company, firm, or corporation, or any particular description of traffic in the United States or its possessions or to any citizen of the United States residing in neutral countries abroad, or is subjecting any particular person, company, firm, or corporation, or any particular description of traffic in the United States or its possessions, or any citizens of the United States residing in neutral countries abroad to any undue or unreasonable prejudice, disadvantage, injury, or discrimination in regard to accepting, receiving, transporting, or delivering, or refusing to accept, receive, transfer, or deliver any cargo, freight or passengers, or in any other respect whatsoever, he is hereby authorized and empowered to direct the detention of such vessels by withholding clearance or by formal notice forbidding departure, and to revoke, modify, or renew any such direction.

That whenever during the existence of a war in which the United States is not engaged, the president shall be satisfied that there is reasonable ground to believe that under the laws, regulations, or practices of any belligerent country or government, American ships or American citizens are not accorded any of the facilities of commerce which the vessels or citizens of that belligerent country enjoy in the United States or its possessions, or are not accorded by such belligerent equal privileges or facilities of trade with vessels or citizens of any nationality other than that of such belligerent, the president is hereby authorized and empowered to withhold clearance from one or more vessels of such belligerent country until such belligerent shall restore to such American vessels and American citi-

ENGELS COPPER REPORT SHOWS GOOD PROGRESS

(Continued from page 23)

the directors to finance same, if possible, without issuing bonds, made it necessary to reduce the anticipated dividend from 12% to 9% for the present calendar year.

If it is decided to build the new mill next year, the directors have under consideration plans for increasing capital stock to finance the same, so that unless copper declines materially in price the present rate of dividend at least can be maintained.
"Our cost of producing copper, including freight, smelter charges and refining charges in New York, is at present approximately 11.5 cents per pound. Under normal cost of supplies this should be reduced to 10 cents per pound. With railroad transportation to the mine it will be further reduced to 9 cents, and with the larger mill contemplated should not be over 8 cents, delivered in the form of electrolytic copper in New York, which compares very favorably with the largest mines in the country."

Relative to the railroad it continues:
"During the past several months, the greater part of the time has been taken up with the railroad proposition.
"After much negotiations with the Southern Pacific and Western Pacific companies and after making several preliminary surveys, we finally decided on building a standard broad gauge railroad from a point on the Western Pacific about 3 1/2 miles below Keddie to our lower camp. The line as finally located follows the Indian River Canyon to the Indian Valley, thence straight across to the north end of the valley and thence directly up Light creek to our property. The distance is about 21 miles, or five miles shorter than the wagon road to Keddie.

"The contract for grading was let on July 6 to the Utah Construction Company, who built a large portion of the Western Pacific, and who were the lowest among several bidders for the work. There has been considerable delay in securing rights-of-way, but the line is now practically open and the work is progressing rapidly, four or five miles already having been graded. I hope to get the entire road in shape to haul over by the end of the present year.

"The road complete will cost in the neighborhood of \$400,000. The Western Pacific has leased us sufficient 55-pound and 52-pound rail and accessories at 6% per annum on actual cost with option to purchase at any time, amounting to, approximately \$88,000. They have agreed to subscribe for stock of the railroad company at par, \$75,000. Leaving balance of stock at par to be taken by Engels Company, \$237,000.
"Of the amount to be taken by this company, \$135,000 has been provided by the sale of treasury stock, leaving from \$100,000 to \$115,000 to be taken from earnings during the current year."

zens reciprocal liberty of commerce and equal facilities of trade; or the president may direct that similar privileges and facilities, if any, enjoyed by vessels or citizens of such belligerent in the United States or its possessions be refused to vessels or citizens of such belligerent; and in such case he shall make proclamation of his direction, stating the facilities and privileges which shall be refused, and the belligerent to whose vessels or citizens they are to be refused, and thereafter the furnishing of such prohibited privileges and facilities to any vessel or citizen of the belligerent named in such proclamation shall be unlawful; and he may change, modify, revoke, or renew such proclamation; and any person or persons who shall furnish or attempt or conspire to furnish or be concerned in furnishing facilities or privileges to ships or persons contrary to the prohibition in such proclamation shall be liable to a fine of not less than \$2000 nor more than \$50,000, or to imprisonment not to exceed two years, or both, in the discretion of the court.

In case any vessel which is detained by virtue of this act shall depart or attempt to depart from the jurisdiction of the United States without clearance or other lawful authority, the owner or master or person or persons having charge or command of such vessel shall be severally liable to a fine of not less than \$2000 nor more than \$10,000, or to imprisonment not to exceed two years, or both, and in addition such vessel shall be forfeited to the United States.
That the president of the United States is hereby authorized and empowered to employ such part of the land or naval forces of the United States as shall be necessary to carry out the purposes of this act.

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